JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

MAY 15 2007

FILED  
CLERK'S OFFICE**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION****IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-98)**

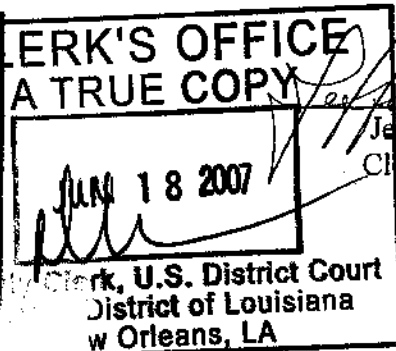
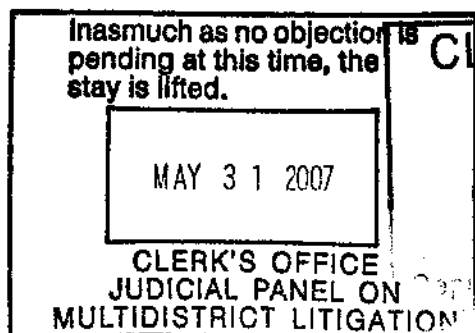
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 6,142 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Fee \_\_\_\_\_  
Process \_\_\_\_\_  
☒ Dktd *CM*  
CtRmDep \_\_\_\_\_  
Doc. No. *17872*

**SCHEDULE CTO-98 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>CASE NUMBER</u>
<b>FLORIDA SOUTHERN</b>		
FLS 1 07-21046	Julio Davila, et al. v. Merck & Co., Inc.	07-3143
<b>MARYLAND</b>		
MD 1 07-1021	Shirley Jean Witt, et al. v. Merck & Co., Inc.	07-3144
MD 1 07-1022	Ruby Stubbs-Sample, et al. v. Merck & Co., Inc.	07-3145
<b>MAINE</b>		
ME 2 07-74	Joseph Connell v. Merck & Co., Inc.	07-3146
<b>NEVADA</b>		
<del>NV 2 07-470</del>	<del>Richard Booth, et al. v. Merck &amp; Co., Inc., et al.</del>	<b>OPPOSED 5/23/07</b>
<b>NEW YORK EASTERN</b>		
NYE 1 07-1356	Elizabeth Alexander v. Merck & Co., Inc.	07-3147
NYE 1 07-1575	Gloria Marie-Rubin, et al. v. Merck & Co., Inc.	07-3148
<b>NEW YORK SOUTHERN</b>		
NYS 1 07-2666	Francesco Ricci, et al. v. Merck & Co., Inc.	07-3149
NYS 1 07-2674	Johen Manuel Rodriguez v. Merck & Co., Inc.	07-3150
NYS 1 07-3292	Dennis Rini, etc. v. Merck & Co., Inc.	07-3151
NYS 1 07-3333	Pellumb Kulla, et al. v. Merck & Co., Inc.	07-3152
<b>PENNSYLVANIA WESTERN</b>		
PAW 1 07-87	Alice Speed v. Merck & Co., Inc.	07-3153
<b>RHODE ISLAND</b>		
RI 1 07-145	Majed Mell v. Merck & Co., Inc.	07-3154
<b>SOUTH CAROLINA</b>		
SC 4 07-1052	Patricia Ridgle v. Merck & Co., Inc.	07-3155
SC 6 07-1076	James E. French, et al. v. Merck & Co., Inc.	07-3156
<b>TEXAS SOUTHERN</b>		
TXS 4 07-1358	Shirley Kelly v. Merck & Co., Inc.	07-3157
TXS 4 07-1380	Petra G. Mitchell v. Merck & Co., Inc.	07-3158
<b>WASHINGTON WESTERN</b>		
WAW 3 07-5199	Mary R. Dalrymple, et al. v. Merck & Co., Inc.	07-3159